

**UNITED STATES (2018-2019)**
**THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR**
**Protocol of 2014 (P029) to the Forced Labour Convention**

<b>REPORTING</b>	<b>Fulfillment of Government's reporting obligations</b>	Yes.	
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	<b>2018-2019 ARs:</b> The following organizations were consulted: the U.S. Council for International Business American (USCIB), the Federation of Labor and the Congress of Industrial Organizations (AFL-CIO). The draft report was reviewed by members of the Tripartite Advisory Panel on International Labor Standards (TAPILS), a subgroup of the President's Committee on the ILO which includes representatives from the U.S. Council for International Business, the AFL-CIO, and other government agencies. The report was also reviewed by relevant government agencies responsible for administering policies and programs to address forced labor that are not members of TAPILS.	
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	No.	
	<b>Workers' organizations</b>	No.	
<b>EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>Ratification</b>	<b>Ratification status</b>	United States has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		<b>Ratification intention</b>	<b>2018 AR:</b> In 1988, the President's Committee on the International Labor Organization (PC/ILO) adopted three ground rules ensuring that no ILO convention will be ratified unless or until U.S. law and practice, at both the federal and state levels, are in full conformity with its provisions. By necessity, the legal review process undertaken by TAPILS prior to ratification is complex, thorough, and in many instances very lengthy. Only when TAPILS has completed its review of a given convention, is it possible or appropriate to make precise judgements about the conformance of U.S. law and practice with that instrument.
	<b>Existence of a policy and / or plan of action for the suppression of forced or compulsory labour</b>	<b>2018-2019 ARs:</b> There is a national policy and/or plan of action for the suppression of forced or compulsory labour as well as for combatting trafficking in persons for the purposes of forced or compulsory labour.	
	<b>Measures taken or envisaged for systematic and coordinated action</b>		
	<b>Measures taken or envisaged to prevent forms of forced labour</b>	<b>2019 AR:</b> The measures taken include: a) Information, education and awareness raising targeting especially people in vulnerable situation and employers; b) Strengthening and broadening of the coverage of legislation, particularly labour law; c) Regulation and supervision of the labour recruitment and placement process; d) Supporting due diligence by the public and private sectors; e) Addressing the root causes that perpetuate forced labour; f) Promotion of safe and regular migration; g) Education/vocational training; h) Capacity building for	

		<p>the competent authorities; i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations; and j) Basic social security guarantees.</p> <p><b>2018 AR:</b> The following measures have been taken or envisaged: a) <i>Information, education and awareness raising targeting especially people in vulnerable situation and employers:</i> according to the Government, in Fiscal Year (FY) 2016, the DHS Blue Campaign created new public awareness materials to capture a broader audience. New materials include informational posters, a toolkit for the hospitality sector, digital release of all foreign language material on the Blue Campaign website, and a What is Human Trafficking infographic that defines human trafficking, identifies the types of human trafficking, and identifies what one can do to stop it. The DHS Blue Campaign continued to provide anti-trafficking awareness materials to governmental, nongovernmental, and private stakeholders in a variety of languages for distribution throughout the United States and overseas. Materials provided include videos, posters, tear cards, indicator cards, first responder cards, shoe cards, and victim support information in 28 languages. Many of these materials are also available for download on the DHS Blue Campaign's website, <a href="https://www.dhs.gov/blue-campaign/library">https://www.dhs.gov/blue-campaign/library</a>; b) <i>Strengthening and broadening of the coverage of legislation, particularly labour law:</i> the Government reports that, as discussed in last year's report, the Federal Acquisition Regulatory Council (FAR Council) issued the proposed rule (FAR Case 2015-017), Combating Trafficking in Persons—Definition of "Recruitment" Fees, in May 2016. The comment period closed in July 2016. An interagency team evaluated public comments submitted in response to the Federal Register Notice's request for written comments and prepared a report addressing the public comments and making recommendations for changes to the regulatory language. The Civilian Agency Acquisition Council has concurred with the draft final rule and the Defense Acquisition Regulations Council is resolving final issues with the FAR staff, who in turn are ensuring compliance with Executive Order 13771, "Reducing Regulation and Controlling Regulatory Costs."; c) <i>Regulation and supervision of the labour recruitment and placement process:</i> the Government indicates that WHD enforces worker protections for temporary non-immigrant H-2A agricultural workers and H-2B non-agricultural workers—both groups that are at risk for trafficking. Under the H-2A and H-2B regulations enforced by WHD, among other requirements, employers must pay proper wages and not charge or allow their agents or attorneys to charge workers for recruitment costs or labor certification expenses. In addition, employers are required to pay such workers' travel and visa fees in many circumstances. The Government adds that WHD also has enforcement authority over the H-1B assurances that employers make when sponsoring workers in specialty occupations. Some of the assurances include the requirement to pay at least a prevailing wage, offer the same benefits and working conditions to the H-1B workers as to similarly employed U.S. workers, and not require or allow H-1B workers to pay the employer's petition fees. WHD's authority to investigate H-1B is limited by statutory provisions, such as requiring a complaint from an aggrieved party or credible source to initiate an investigation; d) <i>Supporting due diligence by the public and private sectors:</i> DOS and NGO partners launched ResponsibleSourcingTool.org and trained federal contractors and other business leaders on the tool. This online platform focuses on the sectors and commodities at greatest risk for human trafficking and provides guidance on developing effective management systems. In FY 2016, DOL funded the ILO to implement the \$9.58 million Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor in support of Sustainable Development Goal Target 8.7. Target 8.7 calls for the elimination of all forms of forced labor and human trafficking by 2030. MAP 16 will improve the knowledge base, raise awareness, strengthen policies and improve capacity of governments, businesses, and workers' organizations to combat forced labor and trafficking, and develop concerted global action to accelerate progress towards Target</p>
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		<p>for reporting human trafficking activities, actions contracting officers must take after receiving credible evidence of human trafficking, and remedies available to the U.S. Government when a human trafficking violation is substantiated; i) <i>Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations</i>; j) <i>Basic social security guarantees</i>: HHS provides assistance to victims of human trafficking in the United States, guided by the TVPA, Preventing Sex Trafficking Act and Strengthening Families Act of 2014, and the Justice for Victims of Trafficking Act of 2015. HHS issues Certification and Eligibility Letters, in accordance with the TVPA for a foreign national victim of human trafficking in the United States to be eligible for services and benefits to the same extent as a refugee. HHS issues a Certification Letter after notification from ICE that the person has been granted Continued Presence, or after notification from USCIS that the person has been granted T non-immigrant status, or has filed a bona fide application for T non-immigrant status that has not been denied. The TVPA requires Federal, State, or local officials to notify HHS within 24 hours after discovering a foreign national child under the age of 18 who may be a victim of sex or labor trafficking to facilitate the provision of assistance (22 U.S.C. § 7105). Children are not required to cooperate with law enforcement or to have been granted Continued Presence by ICE or T non-immigrant status by USCIS to receive assistance. U.S. citizens or lawful permanent residents who are victims of a severe form of human trafficking do not need to obtain certification or eligibility from HHS in order to access specialized services for victims of trafficking or any other Federal benefits and protections to which they are entitled. In FY 2016, HHS provided Certification Letters to 324 adult victims of labor trafficking and Eligibility Letters to 242 child victims of labor trafficking; and h) <i>DOL has funded the development of a sector-specific monitoring and evaluation (M&amp;E) Toolkit called M&amp;E Toolkit: Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) Sectors &amp; Themes</i>. The Toolkit project, implemented by JBS International and Georgetown University, will help enhance the sustainability of child labor and forced labor program efforts by contributing to the overall body of knowledge on how best to measure, target, monitor, and evaluate child and forced labor interventions. The project will address a growing and diversifying portfolio of strategies related to issues of occupational safety and health (with a focus on youth), forced labor, youth employment, labor-related technical and institutional capacity building, gender and diversity, persons with disabilities, and migration. As a result, this M&amp;E Toolkit will assist governments, organizations, and companies combating child labor and forced labor by equipping them with the guidance and tools necessary for assessing results.</p>
	<p><b>Measures taken or envisaged to protect victims of forced labour</b></p>	<p><b>2019 AR:</b> The measures taken include: a) Training of relevant actors for identification of forced labour practices; b) Legal protection of victims; c) Material assistance for victims; d) Medical and psychological assistance for victims; e) Measures for the rehabilitation and social and professional reintegration of victims; f) Protection of privacy and identity; g) Appropriate accommodation; and h) Specific measures for children and migrants.</p> <p><b>2018 AR:</b> The following measures have been taken or envisaged: a) <i>Training of relevant actors for identification of forced labour practices</i>: according to the Government, in FY 2016, DOJ's HTPU delivered targeted training programs aimed at identifying potential labor trafficking victims and cases, including programs for federal, state, and local law enforcement, governmental agencies, NGOs, and community partners. OVC's Training and Technical Assistance Center (TTAC) hosted webinars and training sessions on enhancing the response to labor trafficking. OVC's human trafficking grantees reported providing training to more than 56,000 individuals between July 2016 and 2017, and some of this training focused on increased identification of labor trafficking victims. Many USAOs, often in conjunction with task forces, have trained allied professionals such as medical staff members, crisis intervention personnel, and state fair housing board members to recognize indicators of possible human trafficking, including labor</p>

		<p>trafficking. DOJ’s Executive Office for U.S. Attorneys prepared a toolkit for USAOs that includes resources such as protocols for assisting a suspected trafficking victim, outlines of human trafficking presentations, and checklists for medical professionals to help identify victims; b) <i>Legal protection of victims</i>: the Government indicates that, as discussed in last year’s report, the TVPA created immigration protections for foreign national victims of human trafficking, including protection from removal in the form of non-immigrant status for eligible victims of trafficking (the T visa) and certain victims of serious crimes (the U visa); and allowed these non-immigrant status holders the opportunity to adjust to permanent resident status. In FY 2016, USCIS created and implemented a training for its officers who adjudicate T and U visas on the dynamics of employer power and control in the workplace that lead to instances of workplace crimes including trafficking crimes such as forced labor, involuntary servitude, and peonage. In FY 2017, DHS published a regulation updating its policies regarding adjudicating application for T non-immigrant status to take into account statutory and operational changes to the program; c) <i>Material assistance for victims</i>: The ICE HSI Victim Assistance Program (VAP) responds to victims of a wide range of federal crimes, including human trafficking. In FY 2016, Victim Assistant Specialists assisted 437 identified victims of human trafficking, and provided support to ICE HSI field offices on specific policy and operational issues concerning human trafficking victims. To meet needs for immediate services in FY 2016, VAP facilitated access for ICE field staff to emergency funds for safe housing, food, clothing, emergency medical care, mental health care, and other urgent needs of crime victims. OVC grantees typically worked with victims of human trafficking across multiple reporting periods, providing ongoing case management, emotional support, legal services, and supporting access to a wide range of services within a community. As of September 2017, OVC managed more than 115 awards to organizations providing direct services as well as training and technical assistance across the United States. Over a one-year period for which data was collected for these purposes (from July 1, 2016 to June 30, 2017), OVC human trafficking grantees reported assisting 8,003 clients, Fifty four percent of these clients were new clients, while the other forty six percent were victims from previous reporting periods that required ongoing services. OVC grantees deliver a broad range of services to meet the individualized needs of victims of human trafficking. Top services and assistance provided included ongoing case management, legal services, housing assistance, personal items, transportation, emotional and moral support, mental health treatment, protection and safety planning, and medical services; d) <i>Medical and psychological assistance for victims</i>: OVC human trafficking grantees ensure trafficking victims’ access to medical and psychological assistance. DHS works with local NGOs to place identified human trafficking victims in touch with appropriate service providers that provide short-term emergency services, including emergency medical treatment, mental health counseling, shelter, or other needed services, in the immediate aftermath of a rescue or victim identification. DHS provides referrals to NGOs for necessary longer-term services. DHS also determines if victims of human trafficking and other crimes are eligible for short-term or long-term immigration protection or relief, which can be an important step in the long-term health and safety of victims and may put victims on a path toward permanent residence and eventual citizenship. The DOS Office to Monitor and Combat Trafficking in Persons continues to fund a project to provide global, short-term, direct assistance for trafficking victims overseas on an emergency case-by-case basis. Services include, but are not limited to, shelter, medical treatment, psychological support, legal aid, repatriation, and reintegration assistance. In FY 2016, the project provided services to 350 victims of trafficking, including 180 men and 160 women. Of the 350 assisted, 340 had been exploited for labor trafficking, 9 for sex trafficking, and one for both. In FY 2017, the project provided services to 253 victims of trafficking, including 15 men and 238 women. Of the 253 assisted, 226 had been exploited for labor trafficking and 27 for sex trafficking; e) <i>Measures for the rehabilitation and social and professional reintegration of victims</i>: PRM provided \$700,000 in FY 2016 to the Program to Support Trafficking Victims</p>
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		<p>Found in the United States: Global Return and Reintegration and Family Reunification. Implemented by IOM, this program helps reunite trafficking survivors who have T non-immigrant status with eligible family members who are granted T visas to enter the United States and supports the voluntary return of trafficking survivors identified outside their country of nationality or legal residence. Through the program, IOM provides financial and logistical support for the travel of immediate family members, including pre-departure assistance with travel documents, transportation arrangements, airport assistance, and escorting of children. For trafficked persons who do not wish to avail themselves of immigration benefits, the program also works to ensure their safe return to and reintegration in home communities. This may include pre-departure assistance with travel documentation, transportation arrangements, and reception upon arrival by IOM partners. To reduce the likelihood of re-trafficking, IOM works with NGO partners to provide reintegration assistance, including temporary shelter, health care, vocational training and education, and small grants for income-generating activities.</p> <p>In FY 2016, this program helped 279 individuals to join family members who were identified as victims of trafficking in the United States, and provided two trafficking survivors with return assistance. Since it began in 2005, the program has facilitated the reunification of 1,800 family members with survivors of trafficking identified in the United States, and has assisted 30 trafficking survivors to return safely to their countries of origin. In FY 2016, HHS continued its grant-funded efforts under the Trafficking Victim Assistance Program (TVAP) to provide comprehensive case management and support services to foreign adult and child human trafficking victims, their dependent foreign children, and certain family members. In addition, HHS continued to fund the Domestic Victims of Human Trafficking Program (DVHT), which provides comprehensive case management, direct services, and referrals to services, including short and long-term housing options, substance abuse treatment, mental health counseling, educational opportunities, job training and skills development, legal advocacy, and financial advocacy and counseling. HHS also builds capacity and competency nationally through training and technical assistance and operation of the National Human Trafficking Resource Center (NHTRC) – an informational resource and toll-free, confidential anti-trafficking hotline; f) <i>Protection of privacy and identity</i>: the Government reports that as discussed in last year’s report, U.S. law provides certain confidentiality protections to human trafficking victims who are seeking, or who have been granted, T or U non-immigrant status. Additionally, Federal law (18 U.S.C. § 3771) also provides privacy protections for victims of federal crimes being prosecuted; g) <i>Appropriate accommodation</i>: the Government indicates that, as discussed in last year’s report, HHS promotes policies, training, and outreach efforts to ensure victims with disabilities receive necessary auxiliary aids and services to meaningfully participate in programs and receive services. For example, hearing and speech-impaired individuals can contact the National Human Trafficking Resource Center by dialing 711, the free national access number that connects to Telecommunications Relay Services (TRS). Also reported last year, DHS’ Office for Civil Rights and Civil Liberties (CRCL) works to ensure full inclusion and equal access for all persons with disabilities who interact with DHS, including victims of trafficking, under federal civil rights laws. The effort includes providing coordination and guidance to DHS components regarding ensuring equal opportunity for persons with disabilities in federally conducted activities as well as in the programs and activities of recipients of DHS financial assistance. CRCL also leads DHS efforts to implement EO 13166, which requires federal agencies to examine services they provide, identify any need for services with those with limited English Proficiency (LEP) and develop plans to provide meaningful access to those services. CRCL works with DHS Components to remove language barriers for victims of human trafficking; h) <i>Specific measures for children</i>: according to the Government, if a foreign national minor is currently in the United States, is identified as a victim of trafficking, and receives an Eligibility Letter, the child is eligible to apply for HHS’</p>
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	<p>Unaccompanied Refugee Minors (URM) program that operates in 24 states. The URM program establishes legal responsibility under state law for such children to ensure that they receive the full range of assistance, care, and services currently available to foster children in the state. A legal authority is designated to act in place of the child's unavailable parent(s), and safe reunification of children with their parents or other appropriate adult relatives is pursued. The URM program offers a variety of care levels to meet children's individual needs: licensed foster care homes, therapeutic foster care homes, semi-independent living programs, and residential treatment centers. Other services provided include medical care, independent living skills training, educational support, English language training, career or college counseling and training, mental health services, access to legal services for immigration status adjustment assistance, recreational opportunities, support for social integration, and activities that support cultural and religious preservation. The URM program served 122 minor victims of trafficking in FY 2016, including 27 children identified and placed by HHS's Office of Refugee Resettlement (ORR) into URM during the same fiscal year. Certain T and U visa requirements also take into account children's vulnerability. For instance, foreign victims of a severe form of trafficking under 18 years of age do not need to comply with the T visa eligibility requirement of compliance with reasonable requests for assistance in the investigation or prosecution of the trafficking. Similarly, a parent, legal guardian or "next friend" can, on behalf of a child under 16 years of age, meet the U visa requirements of possessing information about the crime and assisting law enforcement with the investigation or prosecution of that crime; i) <i>Specific measures for migrants</i>: the Government reports that in April 2016, the U.S. Consulate General in Nuevo Laredo (Mexico) hosted two days of human trafficking events in collaboration with the Organization of American States (OAS). Over 150 students, NGOs, and municipal staff attended in Ciudad Acuña, Coahuila, and more than 200 members of the public attended in Piedras Negras, Coahuila. Representatives from the Consulate General and OAS also met with priests and migrants at the Catholic-run Casa del Migrante Frontera Digna in Piedras Negras and Casa del Migrante Nazareth in Nuevo Laredo, providing information on human trafficking to migrants and deportees; and j) <i>Victims' Resource Advocacy Program (VRAP)</i>: in FY 2017, OVC provided a continuation grant to Erin Albright, an attorney and former human trafficking task force director, to continue to address the victim services component of human trafficking task forces, with an emphasis on addressing gaps in task-force capacity to identify and rescue victims of labor trafficking, and to work collaboratively with law enforcement and victim service providers to ensure that all victims, including labor trafficking victims, receive needed services. DOS' Bureau of Diplomatic Security's Victims' Resource Advocacy Program (VRAP) performed outreach, both overseas and domestically, on approximately 30 intensive cases of human trafficking and related abuse in FY 2016. The program led efforts to successfully incorporate alternative methods of support, such as using a therapy dog in court proceedings to comfort trafficking victims and using psychological assessments to support restitution claims.</p> <p>The program also provided tailored support such as providing comfort items and explanations during warrant execution where victims were present, identifying potential shelter placements for victims, assisting to ensure continued presence and visa support documents were accurately processed on behalf of victims, and coordinating logistics of mental health and support services. VRAP works to provide assurances of safety and explain the vital role the victim-witness plays in the prosecution of those accused of trafficking or related fraudulent acts. VRAP works to secure opportunities for survivors to access state or federal benefits, while linking survivors to local community advocates, often with the aid of interpretation services. The program continues to locate experts with particular skills who are available to provide forensic interviews and other levels of support where appropriate, using a victim-centered approach.</p>
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	<p><b>Measures taken or envisaged to facilitate access to remedies</b></p>	<p><b>2019 AR:</b> The measures taken include: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Development of forced labour indicators; e) Access to remedies and compensation; f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges; g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit; and h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.</p> <p><b>2018 AR:</b> The following measures have been taken or envisaged: a) <i>Information and counselling for victims regarding their rights:</i> according to the Government, the NHTRC operates a toll-free, confidential anti-trafficking hotline that provides information and referral to potential trafficking victims, survivors, and people wanting to report suspected cases of trafficking in more than 200 languages. Staffed by a cadre of trained advocates, the hotline received more than 54,000 incoming signals (including calls, emails, and online tips), including information on 330 potential labor trafficking cases, in FY 2016. The Government indicates that, as discussed above, ICE HSI VAP provides support to ICE HSI on specific policy and operational issues concerning human trafficking victims. Victim assistance specialists inform victims of their rights and provide timely access to a wide range of local resources from as early as the investigative stage to prosecution, which assists in the victim’s stability. This process fosters cooperation between law enforcement and the victim while building trust and rapport. VAP also advises Agents of their responsibility to inform victims of their rights under the law and, as appropriate, share information regarding the status of investigations with victims; b) <i>Free legal assistance:</i> according to the Government, in 2017, DOJ’s Office for Access to Justice (ATJ), which works to increase access to counsel and legal assistance for human trafficking victims, helped civil legal aid programs identify federal resources for services to trafficking victims. ATJ collaborated with DOJ’s OVC to make panel presentations at conferences hosted by the ABA and the National Legal Aid and Defender Association. These presentations highlighted the availability of federal Victims of Crime Act (VOCA) Victim Assistance formula funding, which is awarded to states to fund state and local victim assistance programs that can be used to support civil legal aid to trafficking victims. OVC grantees provided legal services to victims of trafficking for a range of legal needs, including assistance with civil legal remedies. HHS’ Domestic Victims of Human Trafficking Program (DVHT) and the Trafficking Victim Assistance Program (TVAP) grantees offer referrals or connections to legal advocacy and services to victims enrolled in their program. DVHT grantees may use grant funds for explanation of legal rights and protections, coordination with law enforcement, assistance on family and civil matters, and general legal advocacy on matters that arise as a direct result of the human trafficking situation. Grantees cannot use DVHT funding for criminal defense attorney services. TVAP grantees may use grant funds for legal assistance to foreign-national victims, including legal immigration services, explanation of legal rights and protections; coordination with law enforcement to request Continued Presence; assistance in applying for immigration relief; and assistance on family and civil matters.; c) <i>Cost-free proceedings;</i> d) <i>Development of forced labour indicators:</i> the Government reports that on April 27, 2016, DHS’ Transportation Security Administration (TSA) hosted a panel of survivor leaders, attorneys, and law enforcement officials to discuss human trafficking, including indicators, impacts, and TSA’s role in prevention and detection. To support DOJ’s Executive Office for Immigration Review, ICE HSI developed and distributed a brochure titled Information for Immigration Court Personnel, Encountering and Referring Potential Human Trafficking Victims to provide indicators and follow-up questions in those instances and to inform court personnel decisions to make a referral to ICE HSI if human trafficking is suspected. Additionally, a dedicated human trafficking phone line was established for immigration court personnel and is staffed to relay time-sensitive information directly from the immigration courtroom to ICE HSI</p>
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		<p>personnel who can respond to and assist potential human trafficking victims.</p> <p>The FBI Human Trafficking Program has developed an online training platform for all DOJ law enforcement personnel to receive advanced education in investigating sex and labor trafficking, as well as identifying best practices and resources for conducting human trafficking investigations. The FBI led and participated in multiple training courses nationwide in FY 2016. The trainings educated federal agents, task force officers, and state, local, and tribal local law enforcement officers on identifying indicators of human trafficking, and the need for taking a methodical, victim-centered approach when conducting investigations. The FBI also created outreach materials for local law enforcement to help identify sex trafficking and labor trafficking victims. The materials include reference cards outlining behavioral and physical indicators of sex and labor trafficking that law enforcement officers may use to identify victims, traffickers, or vehicles while conducting a traffic stop; e) <i>Access to remedies and compensation</i>: according to the Government, as discussed in last year’s report, the TVPA provided for mandatory restitution to victims in criminal prosecutions, the TVPRA 2003 established a federal civil right of action for trafficking victims to sue their traffickers and recover damages and attorney’s fees, and the TVPRA 2008 expanded remedies for victims to include actions against those who benefit from their illegal activities. Additionally, the Justice for Victims of Trafficking Act of 2015 (JVTA) included new tools that broadened the scope of assets subject to forfeiture, and that direct the use of forfeited assets to satisfy restitution orders for victims in specific cases. In 2016, DOJ continued to seek and secure significant restitution orders on behalf of trafficking victims. Several examples are discussed above in response to question 53(d). Additionally, as part of its interagency collaboration, WHD helps law enforcement partners compute restitution owed to victims. HTPU, DOJ’s Child Exploitation and Obscenity Section (CEOS), and MLARS continued to provide specialized training to federal prosecutors on restitution-related issues in trafficking cases, including enforcement of mandatory restitution provisions for Chapter 77 convictions; application of other restitution provisions in trafficking cases resolved on other charges; legal and evidentiary challenges in establishing actual losses for restitution purposes; enforcement of restitution orders; and the use of forfeited assets to pay for restitution; f) <i>Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges</i>: according to the Government, ICE HSI officials met with foreign law enforcement and prosecutorial authorities, as well as domestic law enforcement officials and prosecutors at the federal, state, local, and tribal levels, to build relationships, share information, and increase capacity to investigate and develop information relating to human trafficking and forced labor. ICE Attachés stationed around the world work with host country law enforcement and prosecutorial officials at all levels to build cooperation and capacity, and share information to the extent possible relating to human trafficking and forced labor investigations. During FY 2016, HTPU continued to collaborate with interagency partners to provide anti-trafficking training to federal, state, local, and tribal law enforcement and governmental and nongovernmental partners. HTPU’s capacity-building and training activities focused on effective strategies for identifying human trafficking cases and victims, and best practices in conducting survivor-centered, trauma-informed investigations and prosecutions. HTPU’s FY 2016 activities included presenting a human trafficking prosecution seminar to federal agents and prosecutors at the National Advocacy Center; delivering two weeklong, intensive, interactive Advanced Human Trafficking Training Programs in collaboration with interagency partners in conjunction with the ACTeam Initiative (noted earlier); training multidisciplinary anti-trafficking task forces at a Regional Human Trafficking Training Forum organized by DOJ’s OVC; training DOS Diplomatic Security Special Agents deploying overseas as Assistant Regional Security Officers; providing extensive capacity-building, case-based mentoring, and training programs to Mexican law enforcement partners to enhance prosecutions</p>
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		<p>in connection with the U.S.-Mexico Bilateral Human Trafficking Enforcement Initiative; training 250 federal, state, and local law enforcement and governmental officials at a human trafficking symposium organized by the Pennsylvania Commission on Crime and Delinquency; and serving as panelists at the 2016 Freedom Network USA Conference of NGO advocates and victim-service providers; g) <i>Provision for authorities not to prosecute victims for acts which they have been compelled to commit</i>; and h) <i>Provision of penalties such as the confiscation of assets and criminal liability of legal persons</i>: according to the Government, in FY 2016, MLARS played a substantial role in DOJ’s efforts to combat human trafficking and implement the JVTA in three principal ways: first, by directing increased resources to investigating human trafficking cases from a financial perspective and to pursuing the assets that facilitate trafficking and the criminal proceeds of trafficking; second, by increasing its training and coordination efforts with its partners in the Civil Rights Division, USAOs, and investigating agencies; and third, by compensating victims of trafficking through the transfer of forfeited assets to provide restitution. Most notably, in FY 2016, MLARS approved at least two requests to transfer forfeited proceeds for restitution in human trafficking cases, and it fully expects more requests (and approvals of those requests) to follow. MLARS has updated its training materials for Assistant U.S. Attorneys (AUSAs) and support staff to include information about requesting transfers of forfeited assets to compensate victims under the JVTA, and it has also engaged with crime victim advocates to inform them of this new source of compensation for victims. Additionally, the Government invites to refer to last year’s report for a discussion of penalties under the Trafficking Victims Protection Act of 2000, as amended.</p>
	<p><b>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</b></p>	<p><b>2018 AR:</b> More than 35 states have passed laws to allow trafficking victims to vacate or seal convictions where criminal activity was committed as part of the trafficking situation. HTPU met with survivors and other advocates in FY 2016 to discuss legislative proposals to vacate federal convictions and expunge arrest records regarding federal crimes committed by trafficking victims as a result of their victimization. The OVC-funded ABA’s Survivor Reentry Project, described above, raises awareness of vacatur remedies for survivors, and builds sustainable vacatur practices across the country. The project offers national training and technical assistance on vacatur remedies for public defenders, legal services lawyers, pro bono attorneys, law students, judges, and prosecutors.</p>
	<p><b>Cooperation with other Member States, international / regional organizations or NGOs</b></p>	<p><b>2018 AR:</b> The Government cooperates with other member States as well as with international, regional and non-governmental organizations. HTPU worked with the Government of Mexico to advance the U.S. – Mexico Bilateral Human Trafficking Enforcement Initiative aimed at strengthening high-impact prosecutions under both U.S. and Mexican law. The initiative aims to enhance bilateral capacity to recover victims, prosecute traffickers, dismantle trafficking networks, and recover victims’ children from trafficking networks’ control. During FY 2016, HTPU, DOJ’s Office of Overseas Prosecutorial Development, Assistance and Training, FBI, and DHS coordinated with Mexican law enforcement to advance human trafficking investigations and prosecutions, resulting in highly successful coordinated law enforcement operations. Through a partnership with the United Nations Office on Drugs and Crime (UNODC), DOS INL is working with federal law enforcement officials in Mexico and NGOs to raise awareness and prevent human trafficking by developing a comprehensive communication strategy and public diplomacy prevention campaign targeting vulnerable populations. ICE HSI conducted eight international delegation briefings at the request of the DOS’ International Visitors Program for participants from various countries to address issues relating to victims. Participants included representatives from Angola, Bangladesh, Bosnia and Herzegovina, Botswana, Brazil, India, Indonesia, Israel, Jamaica, Kosovo, Lebanon, Malawi, Mexico, Moldova, Mongolia, Nepal, New Zealand, Slovakia, Suriname, Timor-Leste, and Trinidad and Tobago. These briefings focused on victim identification, forced child labor, protection and assistance to victims of trafficking, child exploitation, the neuroscience behind complex trauma, and best practices in working with NGOs. In FY 2016, DHS, alongside</p>

		<p>interagency partners, agreed to share best practices for implementing anti-trafficking awareness campaigns with Canada and Mexico at the North American Leaders Summit. DOJ’s Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) designs and executes anti-trafficking technical assistance programs overseas to strengthen international capacity to combat human trafficking. Drawing on the expertise of experienced trafficking prosecutors from DOJ’s HTPU, CEOS, and USAOs, OPDAT has developed and delivered programs providing expertise and assistance in drafting and implementing anti-trafficking legislation, successfully investigating and prosecuting human trafficking crimes, and assisting human trafficking victims. When appropriate, OPDAT collaborates on human trafficking programs with DOJ’s International Criminal Investigative Training Assistance Program (ICITAP), its sister organization, which develops and provides training to foreign police and criminal investigation institutions. ICE HSI was a leader in the global Santa Marta Group initiative that seeks, inter alia, to develop trusting relationships between law enforcement and NGOs to help eradicate human trafficking. In 2016, ICE HSI engaged with country officials and victim assistance charities to counter human trafficking in Nigeria and Vietnam and is working with the Australian Federal Police and the Government of Thailand through the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) to engage on human trafficking issues in the Pacific region. As a result of interaction with organizations such as Catholic Charities and Caritas Internationalis, ICE HSI has been connected to a larger group of governmental officials and NGOs that have provided information on transnational criminal organizations engaged in human trafficking and general information on victims in the United States—both of which are essential to help determine the scale, scope, and nature of trafficking in the United States. ICE HSI increased its engagement and interaction with NGOs and civil society organizations that have direct contact with potential or actual victims of labor exploitation. This engagement included training and informational sessions on federal law regarding forced labor.</p>	
	<b>Promotional activities</b>		
	<b>Special initiatives/Progress</b>		
<b>CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>According to the social partners</b>	<b>Employers’ organizations</b>	
		<b>Workers’ organizations</b>	
	<b>According to the Government</b>	<p><b>2018 AR:</b> The Government refers to the DOS’ 2017 Trafficking in Persons Report which discusses challenges for countries around the globe in preventing and addressing trafficking in persons, including for forced labor. The United States section notes challenges in preventing trafficking for forced labor and makes specific recommendations for improvement. Additionally, the Attorney General’s Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons for FY 2016 also contains information that is responsive to this question.</p>	
<b>TECHNICAL COOPERATION NEEDS</b>	<b>Request</b>	<p><b>2018-2019 ARs:</b> The Government states that it does not require technical cooperation.</p>	
	<b>Offer</b>		