

Stop Trafficking !

Anti-Human Trafficking Newsletter



Awareness

Advocacy

Action

May 2013 Vol. 11 No. 5

This issue highlights the close relationship between abusive marriages and human trafficking, especially among immigrant populations.

Sponsored by the: Sisters of the Divine Savior

Co-Sponsors

- Adorers of the Blood of Christ
- Benedictine Sisters of Chicago
- Benedictine Sisters of Mount St. Scholastica
- Cenacle Sisters, N. Amer. Prov.
- Congregation of Notre Dame
- Congregation of Sisters of St. Agnes
- Congregation of St. Joseph
- Daughters of Charity, Prov. of St. Louise
- Daughters of Charity of St. Vincent de Paul, Prov. of West
- Dominican Sisters of Adrian, MI
- Dominican Sisters of Mission San Jose
- Dominican Sisters of Peace
- Dominican Sisters of San Rafael
- Felician Sisters
- Franciscan Sisters of Peace
- Holy Spirit Missionary Sisters
- Holy Union Sisters
- Marianites of Holy Cross
- Missionary Sisters of the Society of Mary
- Monastery of Benedictine Sisters, Watertown, SD
- Our Lady of Victory Missionary Sisters
- Religious of the Sacred Heart of Mary
- San Jose CA Police Dept. Vice Unit, HT Task Force
- School Sisters of Notre Dame, Shalom North America
- School Sisters of St. Francis, PA
- School Sisters of St. Francis of Christ the King
- Servants of the Holy Heart of Mary, USA Province
- Servants of the Immaculate Heart of Mary
- Servants of Mary, Ladysmith, WI
- Sinsinawa Dominicans
- Sisters of Bon Secours USA
- Sisters of Charity of Cincinnati, OH
- Sisters of Charity of Halifax
- Sisters of Charity of the Incarnate Word, Houston
- Sisters of Charity of Nazareth, KY
- Sisters of Charity of New York
- Sisters of Christian Charity, Mendham NJ & Wilmette, IL
- Sisters Faithful Companions of Jesus
- Sisters of the Good Shepherd Fremont, CA
- Sisters of the Holy Cross
- Sisters of the Holy Family, Fremont, CA
- Sisters of the Holy Family of Nazareth
- Sisters of the Holy Names of Jesus and Mary
- Sisters of the Humility of Mary
- Sisters of Mercy of the Americas
- Sisters of Notre Dame, CA Prov.
- Sisters of Notre Dame de Namur, USA
- Sisters of the Presentation, CA
- Sisters of the Presentation of the Blessed Virgin Mary, SD
- Sisters of Providence, Mother Joseph Prov.
- Sisters of Providence of St. Vincent de Paul, Canada
- Sisters of St. Francis of Colorado Springs
- Sisters of St. Francis of the Providence of God
- Sisters of St. Francis of Redwood City
- Sisters of St. Francis of Rochester, MN
- Sisters of St. Joseph of Carondelet, Los Angeles
- Sisters of St. Joseph of Chestnut Hill, PA
- Sisters of St. Joseph of Cluny, Prov. of USA & Canada
- Sisters of St. Joseph of Orange, CA
- Sisters of St. Joseph of Peace
- Sisters of St. Mary of Namur, N. / S. Amer. Prov.s
- Society of the Holy Child Jesus, Amer. Prov.
- Society of Jesus, CA Prov.
- Society of the Sacred Heart
- Ursuline Sisters of the Roman Union USA

Bride Slavery: Forced Marriage

'No' to Forced Marriage & Religious Intolerance

Rosine (not her real name) is a 28-year old Christian convert. Originally a Muslim from Mali, Rosine lives and studies in Houston. But her life has had many challenges.

When she was quite young her parents divorced. She was raised by her mother and stepfather, who had two other wives. These wives ignored and punished her, even denying her food when her own mother was not home.

The stepfather was an abusive and controlling man, whose tribe demanded that girls undergo female genital mutilation. She underwent this ritual and walked home with a cloth between her legs. The next day she was treated for infection.

In 2009 Rosine obtained a student visa to come to the U.S. to earn an undergraduate degree. She lived in Houston where there were family friends. A girlfriend from Mali also came to Houston. From this friend, Rosine learned about the Christian faith and decided to convert.

When her parents visited they learned of her conversion. Her stepfather was very angry. After returning to Mali he called and told her she must marry a Muslim man—one of his own cousins, twice her age. She must also live as a Muslim. Only this would bring her back into the family.

But Rosine did not want the life of her mother, always controlled by a violent husband. She knew she could never return to Mali because her stepfather, having many connections, would get the local police to find her. There she would not even have to be present at a marriage ceremony to be considered married.

When she refused to marry his cousin, her stepfather cut her off financially. She sought help from a Houston YMCA and they advised her to contact the *Tahirih Justice Center* in Houston. Tahirih assigned her a *pro bono* attorney, who helped her gain U.S. asylum in 2012.

Rosine explained, *"I have a work permit and I am volunteering at the YMCA while working part-time. I am also continuing classes with the hope of graduating in a few years and becoming a public accountant. One day, I do hope to be happily married too. While the road ahead is a challenging one, I take comfort in knowing that I will now get to shape my own future."* (<http://www.tahirih.org/2013/03/rejecting-forced-marriage-and-religious-intolerance-tahirih-houston-client-rosine-bravely-sought-her-freedom/>)



(Photo by Sergio Pessolano)



Awareness

'Forced Marriage'

A forced marriage is one that takes place without the full and free consent of one or both parties. It can happen to either gender, at any age. It may be a marriage that is threatened, or one that has already taken place, either in the United States or abroad.

An individual's lack of consent or lack of ability to give informed consent may be caused by a variety of factors, including but not limited to the individual being: • younger than the legal age to marry; • subject to some other incapacity or disability; • subject to force, fraud, or coercion.

Force, fraud, or coercion can take many forms, including psychological manipulation, emotional blackmail, deception, and physical threats or violence, and—in some cases—even kidnapping or death threats.

An arranged marriage is not the same as a forced marriage. In an arranged marriage the families of both parties (or religious leaders or others) take the lead, but ultimately, the choice remains with the individual.

In a forced marriage an individual feels she has no ultimate right to choose her partner and/or no meaningful way to say 'No' to the marriage.

Survey on Forced Marriage in Immigrant Communities in the U.S.

The *Tahirih Justice Center* launched the '*Forced Marriage Initiative*' and conducted what is believed to be the first national survey on the issue in 2011. It elicited responses from over 500 non-profit, governmental and for-profit agencies working with various immigrant, ethnic and religious communities in 47 states and the territory of Guam.

The survey confirms that forced marriage is a problem in the U.S., with as many as 3,000 known and suspected cases identified by survey respondents in just the last two years. This fact is alarming and demands attention.

Just as alarming -- community-based service providers are struggling with how to recognize and handle forced marriage cases, and how to offer a lifeline to individuals who may have only one chance to reach out for help.

The survey revealed:

- Forced marriage was identified in immigrant communities from 56 different countries — with victims from primarily Muslim backgrounds, as well as from Christian, Hindu, Buddhist and other backgrounds.
- The majority of victims were female, with many under age 18; a small minority were male.
- Of agencies responding, 67% believed cases of forced marriage were not being identified, suggesting a significant population of '*hidden victims*'.
- Less than 10% of respondents said they had a '*working definition*' of forced marriage at their agency; less than 22% said their agency's screening and referral process enabled them to identify cases where forced marriage may be of concern; less than 16% said that their agency was properly equipped to help individuals facing forced marriage.

The survey also revealed very troubling and complex dynamics at play in

many forced marriage situations. Individuals may be subjected to multiple, and sometimes severe, forms of force, fraud, or coercion to make them enter or stay in a forced marriage.

Respondents identified the following as very commonly used against victims (numbers of respondents identifying each type of tactic are given in parentheses):

- Emotional blackmail (e.g., a parent threatens self-harm, or asserts that the family's or individual's reputation will be ruined if they resist the marriage) (120);
- Isolation tactics (e.g., the family severely limits the individual's social contacts or ability to leave the home, or the individual is not allowed to go to school) (106);
- Social ostracizing (e.g., threatening that the individual will be an outcast in their community) (87);
- Economic threats (e.g., family threatens to kick the individual out of the house or withdraw support) (84);
- Threats of physical violence (against the individual facing forced marriage, or others they care about or try to help them) (78).

Less common tactics used or threatened against forced marriage victims, included:

- Immigration-related threats (e.g., threatening to get the individual deported) (72);
- Physical violence (69);
- Deception/tricking (e.g., telling an individual that they are being taken abroad to visit a relative when really they are being taken abroad to get married) (61);
- Death threats against the victim (40);
- Stalking the victim (e.g., a family member follows the individual when they leave their home) (38);
- Kidnapping/forcing the individual to travel abroad (33);

U. S. Survey cont. pg. 3



U. S. Survey *cont. from pg. 2*

- Holding the individual captive/physically restrained (30);
 - Marrying off an individual without that individual's participation or knowledge (e.g., where laws or customs of a country allow families to conclude a marriage) (29).
 - Serious bodily injury to the victim (25),
 - Situations where food or medical care was withheld (23/22),
 - Instances where a marriage certificate was forged (13), or where the individual facing forced marriage was falsely accused of a crime or reported as a runaway/missing child to enlist law enforcement help in returning the individual home (10).
 - Cases where the victim was drugged/incapacitated or threatened with having their children taken away (8/2).
- In addition, 42 respondents reported encountering forced marriage victims who had contemplated or attempted suicide. 13 respondents also reported murder attempts among the forced marriage cases they encountered, and 1 respondent reported an actual murder.

These and other survey findings suggest that thousands of individuals in the U.S. may be threatened with forced marriage each year, and yet at present, victims have little hope of finding the protection and assistance they need.

(Survey pgs. 2-3, 8-9)

(<http://www.tahirih.org/site/wp-content/uploads/2011/09/REPORT-Tahirih-Survey-on-Forced-Marriage-in-Immigrant-Communities-in-the-United-States-September-2011.pdf>)

Oppression from Culture or Religion in the U.S.

In 2007 in response to ongoing abuses of women's rights, Ayaan Hirsi Ali, with the help of supporters,



established the *AHA Foundation* in New York City. Its purpose is to help protect and defend the rights of women in the West

from oppression justified by religion and culture. The Foundation is the only organization in the U.S. dedicated to understand the scope and impact of honor violence, forced marriage, and female genital mutilation (FGM), and organize effective intervention, support, enforcement, legislation, public awareness, and diplomatic initiatives to protect the victims of these crimes. It works to inform, investigate, influence and intervene for women.

Recently two states (NJ and LA) introduced portions of the Foundation's model FGM legislation and the U.S. House of Representatives passed legislation directing the U.S. Dept. of Justice to collect data on honor crimes. The Foundation is also working to amend the federal domestic violence crime to include honor violence.

The AHA Foundation has laid the groundwork to develop a national *'forced marriage'* hotline in the U.S. The hotline will provide crucial guidance and assistance to victims of forced marriage, many of whom are also at risk of honor violence. In 2012 alone, 34 individuals, who sought help from the AHA Foundation to escape forced marriages or situations of honor violence, were assisted to gain safety. (<http://theahafoundation.org/>)

'Rashida'

When Rashida, a British national, was 10 years old, her father breached a court order and without her mother's permission took her and her four siblings to Pakistan. They were left with their stepmother and not allowed back to the UK. Rashida pleaded with her father to be allowed to return home. He refused saying she was engaged to her cousin. He told her that her mother didn't want her back in the UK.

Finally, when Rashida was 15, she managed to contact her mother using a secret mobile phone – she asked her mother to help her. Things then got worse. Her father beat her because she had "looked at a boy", her mobile phone was found and confiscated, and she was told she was going to Afghanistan to meet up with her prospective husband.

Rashida managed to get a message to her mother, who contacted the UK *'Forced Marriage Unit'*. In the UK, court orders were obtained against Rashida's father and Rashida was made a ward of the court. She was rescued from her father's home by the British High Commission and returned to her mother in the UK. During her five years in Pakistan, Rashida had been subjected to regular beatings. She had also been confined to the house and denied access to education.

With the help of her mother, Rashida is now getting her life back on track but still lives with the constant fear that her father will come for her again. Rashida's three older siblings, two brothers and a sister, were not so lucky. They were all forced into marriage at the ages of 15 or 16.

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/35530/forced-marriage-guidelines09.pdf)

The United States has "no real laws or agencies that work on this issue [of forced marriage]... we often look to what the U.K. has. There is nothing similar in the U.S." Tahirih Survey Respondent



Awareness

Abuse of Foreign Brides

The *Tahirih Justice Center* in Falls Church, VA, has actively pursued justice for women exploited in many ways, including as victims of some poorly-run international marriage broker agencies and their abusive male clients. Cited here are examples of what some women suffered before the *Violence Against Women Act (VAWA)* was modified to address such abuses. (<http://www.tahirih.org/>)

Child Abuse

Norman McDonald compelled his Ukrainian wife to take several waitress jobs, even though she was trained as an accountant. He made her rely on him for transportation so he would have long stretches of time alone with her daughter, who was only three when the couple married.

With his wife securely out of the house, McDonald showed the toddler pornographic videos of what he wanted to do to her and then raped her. Two years after the abuse started, his wife discovered what McDonald was doing and immediately contacted the police.

Pennsylvania authorities found more than 10,000 images of child pornography in McDonald's computer and hundreds of video clips that depicted him having sex with his stepdaughter. McDonald's 28-year-old daughter from a previous marriage testified that her father had also abused her as a child.

Today, over 400 international marriage brokers (IMBs) operating in the United States market women from every corner of the globe. An estimated one-third to one-half of all foreign fiancé(e)s admitted to the U.S. each year (about 10,000-15,000 women, based on 2010 immigration statistics), and many thousand more of the foreign spouses who are admitted each year, may have met their American husbands through IMBs.

Despite these growing numbers, and repeated reports of *International Marriage Broker Regulation Act (IMBRA)* violations, in the seven years since IMBRA's enactment, no IMB has been prosecuted for violating the law.

This exposes women using IMBs' services to continued risk of abuse and exploitation.

Imprisonment

"Dina" corresponded with her husband "Paul," a Kentucky anesthesiologist, for several months before she agreed to marry him when he visited her and her family in Ethiopia. When she came to the United States, however, Paul took Dina's money and passport, brought her to a motel (the first of five), and kept her drugged and imprisoned for weeks while he subjected her to horrific physical, sexual, and mental abuse.

Paul also threatened Dina that she, not Paul, would be arrested and jailed if she reported him to the police. Only when Paul left to attend a conference for a few days did she regain enough consciousness and strength to drag herself to the motel office for help.

Paul killed himself before he could be prosecuted. Dina received protection under US trafficking laws.

Murder

Jack Reeves, a retired U.S. Army officer living in Texas, was convicted of killing his fourth wife, Emelita Reeves, a 26-year-old from the Philippines whom he met through an international marriage broker (IMB) called "Cherry Blossoms."

Emelita had confided to family and friends that Reeves physically and sexually abused her, and told friends she planned to leave him a day before she disappeared.

Two of Reeves' previous wives also died under suspicious circumstances (drowning and suicide). During the investigation into Emelita's death, the State re-opened the investigation into Reeves' second wife's death, and obtained a further conviction against him.

The State did not have enough evidence to re-open the investigation into the third wife's murder because Reeves had cremated her body. Reeves was also suspected in the mysterious disappearance of a Russian woman with whom he had lived in 1991.

Threats of Deportation

Soon after "Medina," a Ukrainian college professor, married "Thomas," a well-respected Minnesota doctor, he turned controlling and violent. Among other outbursts, he threatened Medina with a knife; kicked her in the chest; and even attempted to push her out of a moving car.

Thomas also slept with an ax in his drawer and threatened to have her deported if she ever called the police. Medina left Thomas after he broke her son's finger. Medina continues to live in constant fear of Thomas, who stalks and harasses her.

Despite knowing about Medina's abuse, the international marriage broker (IMB) facilitated a new match between Thomas and another Ukrainian woman, who also later fled because of abuse. Medina was Thomas' third wife; he had also abused at least one of his prior wives.



Awareness

Children at Risk

A 2008 UK government study found that in one year, 2,089 students were unaccounted for in 14 districts across England and Wales, a proportion of whom were “believed to have been children removed from education and forced into marriages overseas.” The UK Forced Marriage Unit (FMU), set up in 2005, has helped rescue 58 underage children, the youngest being age 11. The unit deals with 5,000 inquiries and 300 cases of forced marriage a year. A third of inquiries come from youth under age 18.

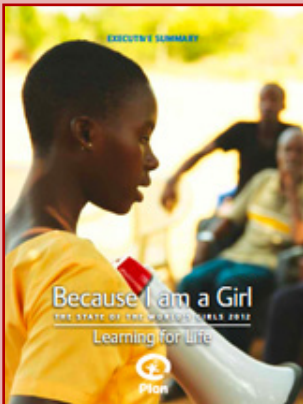
One agency currently had cases involving four children, aged 11 to 14 who were forced to marry or were at risk, and thus made wards of the court.

(<http://www.telegraph.co.uk/news/uknews/3089375/Nine-year-old-Midlands-girl-rescued-from-forced-marriage.html>)

Percent of Girls Forced to Marry Before a Certain Age

- South Asia 48% before age 18
- Bangladesh 27.3% before age 15
- Africa 42% before age 18
- Niger 26% before age 15
- Kyrgyzstan 21.2% before age 18
- Kazakhstan 14.4% before age 18

(S. Harden, August 8, 2012 Arranged/Forced Marriage Statistics. Retrieved from Statistic Brain: website: <http://www.statisticbrain.com/arranged-marriage-statistics/>)



Two-Year Old Rescued in U.K.

A two-year-old was the youngest child at risk of being forced into marriage, one of 250 children aided by the UK’s Forced Marriage Unit (FMU), according to new statistics that appeared in March 2013.

Around 80 of those helped were under the age of 15 when authorities had intervened, and statistics identify those between the ages of 16-25 as being the age most at risk.

A representative from the FMU stated, “Many of the victims have in fact been promised to someone from birth, or maybe even before birth, with families saying the daughter or son is promised to another family in exchange for business or land. We are finding that is a common occurrence.”

“The child grows up and they do not realise they have a choice. We have been doing more and more work in primary schools, it has to be done tactfully but teachers need to know the risks, to be sensitive when children from these communities are taken away for extended periods.”

The FMU, a joint initiative of the Foreign Office and the Home Office, intervened in 1,485 cases in 2012, with 82% female and 18% male. Many forced marriages go unreported. The country of origin of 46% of the victims was Pakistan, 9.2% from Bangladesh, 8.7% were born in the UK. Other countries included Turkey, Afghanistan, Sri Lanka, Nigeria, Somalia and the United Arab Emirates.

Freedom Charity launched a “Forced Marriage” app for iPhones to coincide with the release of the figures, calling it “the 911 of apps.” A representative stated, “It is more important than ever that everyone in the UK is aware of the warning signs of a forced marriage.” (http://www.huffingtonpost.co.uk/2013/03/05/forced-marriage-unit-intervene-2-year-old_n_2809750.html)

The Role of Girls’ Education



Founded over 75 years ago, Plan International is one of the oldest and largest children’s development organizations in the world. Its goal is to promote child’s rights and end child poverty. Experience has shown that real change can take place when girls are valued. Investing in girls’ education is the right, fair and smart thing to do and will help end poverty for generations to come.

Plan works with girls, communities, traditional leaders, governments, global institutions and the private sector to address the barriers that prevent girls from completing their education.

Plan calls for:

- Girls’ education to be prioritized by world leaders;
- Girls’ completion of a quality secondary education to be a major focus of international action;
- Funding for girls’ education to be increased;
- An end to child marriage;
- An end to gender-based violence in and around schools;
- Girls and boys to participate in decision-making and inspire those with power to take action.

(<http://plan-international.org/girls/>)



Samples of educational campaigns run by Plan International that assist girls to have a secure future.



Advocacy

6

International Marriage Broker Law

The *International Marriage Broker Regulation Act* (IMBRA) was originally passed as part of the 2005 reauthorization of the *Violence Against Women Act* (VAWA) and signed into law by President Bush in January 2006.

IMBRA was motivated by alarming evidence of a growing nationwide trend of abuse and exploitation of foreign women, who meet American husbands through international marriage brokers (IMBs) (so-called “*mail-order bride*” agencies).

In an effort to prevent future tragedies, IMBRA imposed common sense regulations on IMBs and made critical changes to the process by which American citizens petition to sponsor foreign fiancé(e) or spouse visas. IMBRA:

- Prohibits IMBs from marketing children (individuals under age 18);
- Requires IMBs to search public sex offender registries and collect relevant criminal and marital history information on a US client, provide this information to the foreign national client that the US client wishes to contact, and obtain the foreign national client’s consent before giving the US client her contact information;
- Mandates disclosures to provide immigrating foreign fiancé(e)s/spouses with information about whether their American fiancé(e)s/spouses have violent criminal histories, and to advise them about their legal rights and resources available to them in the U.S. if they are abused; and
- Places reasonable lifetime limits (subject to waiver, unless the petitioner has a violent criminal record) on how many and how often fiancé(e) visa petitions could be filed by a single petitioner, to prevent predators from serially sponsoring a succession of foreign brides.

2013 Amendments

S. 47, the “*Violence Against Women Reauthorization Act of 2013*,” makes technical corrections and closes gaps in IMBRA to enable Congress’ protective intent in enacting the law to be realized.

These amendments:

- Require the Attorney General to designate a particular office to be responsible for bringing civil and criminal enforcement actions against IMBs that violate IMBRA;
- Provide for two possible venues for enforcement (i.e., not only in an administrative hearing before an Administrative Law Judge, as IMBRA had prescribed, but also in federal court);
- Clarify the culpability standard and level of penalties that apply to particular types of violations, and create a way to differentiate the most serious violations;
- Require IMBs to keep records of their compliance with IMBRA’s prohibition on marketing children, and clarify other IMB obligations re: background checks and disclosures;
- Require disclosures of additional violent history information by U.S. clients of IMBs, and by US petitioners during the fiancé(e)/spouse visa application process, and ensure that the U.S. government’s background check on those U.S. visa petitioners includes a search of the FBI’s NCIC Protection Order Database; and
- Penalize U.S. clients of IMBs for lying about or withholding their criminal or violent history information.

‘VAWA’ Helps Immigrants

Immigrants with non-citizen status are particularly vulnerable to crimes of domestic violence, sexual assault, dating violence, and stalking. The abusers of undocumented immigrants often exploit the victims’ immigration status, leaving the victim afraid to seek services or report the abuse to law enforcement and making them fearful of assisting with the investigation and prosecution of these crimes.

The *Violence Against Women Act* (VAWA) enhances safety for victims and their children and provides an important tool for law enforcement to investigate and prosecute crimes. On Feb. 28, 2013 the U.S. House of Representatives passed the VAWA reauthorization bill (S.47) in a bi-partisan vote of 286-138, following the Senate, which passed it 78-22 one week earlier. President Obama signed the bill into law on March 7, 2013.

The bill also strengthens other protections for immigrant survivors of domestic and sexual violence, reauthorizes the *Trafficking Victims Protection Act*, and includes a mandate for a multi-sectoral U.S. strategy to end child marriage around the world.

Layli Miller-Muro, Exec. Dir. of the Tahirih Justice Center said, “*Each VAWA reauthorization represents a crucial opportunity not only to continue, but also to improve and increase, our nation’s commitment to ending domestic and sexual violence. Tahirih is proud to have been a part of VAWA’s historic mandate by helping advance protections for all survivors.*” March 27, 2013

In one 24-hour period, local domestic violence programs provided emergency shelter, transitional housing, supportive counseling, advocacy or other services to more than 67,000 victims as a result of services supported by the *Violence Against Women Act* (VAWA). (Taken from: “*Domestic Violence Counts 2011: A 24-hour census of domestic violence shelters and services.*” The National Network to End Domestic Violence, 2012. (http://nnev.org/docs/Census/DVCounts2011/DVCounts11_NatlSummary_Color.pdf))



Advocacy

The Role of 'Pro Bono' Lawyers

Trafficking victims in the U.S. have suffered in agricultural fields, sweatshops, restaurants, factories, private homes, and brothels. Sensitive and competent *pro bono* legal assistance can help ameliorate this suffering. At the same time traffickers suffer few deterrents in their exploitation of vulnerable people. *Pro bono* legal work for trafficking victims is vital in achieving justice by sending a message to traffickers that they will be punished.

As trafficked victims begin to move from crisis to recovery, more complicated legal questions arise. If the trafficker and victim were married can they divorce and who will have custody of any children? If a trafficking victim committed crimes in the course of the abuse to what extent are they liable? If a trafficking victim faces eviction from his or her apartment, where can they get legal advice? Can a trafficking victim sue the trafficker directly? To resolve these issues, trafficking victims in the U.S. desperately need the expertise of *pro bono* attorneys. Laurel G. Bellows, *American Bar Association* president, has declared *pro bono* representation for human trafficking victims a priority initiative for their organization.

Martina E. Vandenberg, currently a Fellow at the *Open Society Foundations* in Washington, D.C., established the *Human Trafficking Pro Bono Legal Center*, a clearinghouse that brings *pro bono* attorneys together with human trafficking survivors to increase the range of legal options offered them. She worked on human trafficking legal issues for more than 16 years.

In an article entitled '*Giving Back: Combating Human Trafficking*' appearing in the *American Bar Association* publication *GP-Solo* (Vol. 29, No. 5), Vandenberg urges lawyers to consider offering *pro bono* services for trafficked victims and highlights for them some areas where their expertise is needed:

- *Representation during a criminal investigation.* Trafficking victims frequently find the criminal prosecutions of their traffickers terrifying. Fearful of the traffickers, a trafficking victim may be concerned for his or her safety, as well as that of family members. Does the victim need witness protection? Criminal defense? Criminal restitution? Immigration relief through "continued presence" (a temporary immigration status available to trafficking victims)? A *pro bono* attorney can assist in advocating for a victim's rights under the *National Crime Victims Rights Act*.
- *Representation on criminal restitution issues.* Under federal law, criminal restitution is mandatory in human trafficking cases. That restitution must compensate the victim for out-of-pocket expenses and other losses. In forced labor cases, the calculation is simple: back wages for the entire period of servitude. In sex trafficking cases, the criminal restitution orders should equal the full value obtained by the trafficker for the victim's services. The restitution must be ordered in these full amounts, regardless of the defendant's ability to pay. It is the responsibility of the *Financial Litigation Units* within each U.S. Attorney's Office to collect this restitution. *Pro bono* attorneys play a vital role in ensuring that restitution orders are maximized and distributed

to the victims. In some jurisdictions, creative prosecutors have requested that a victim's *pro bono* attorney open an escrow account for pre-payment of a restitution order accompanying a plea deal. Because restitution orders are rarely collected, *pro bono* advocacy in this arena is essential.

- *Representation on tax matters.* Restitution under the federal trafficking statutes is not subject to federal income tax. *Pro bono* tax attorneys help assure that when this restitution is awarded trafficked survivors it remains tax-free.
- *Representation in obtaining legal identification documents.* Unfortunately, some embassies and nations refuse to assist their own nationals in trafficking cases. Trafficking victims, frequently stripped of their passports and identity documents, must obtain official copies from home country sources. Traffickers also alter and forge documents, which must be corrected. *Pro bono* advocates are needed to assist in negotiations with embassies, consulates, and U.S. authorities.
- Other areas where *pro bono* representation is important for trafficked victims includes: *immigration matters; family law matters; vacatur actions; landlord-tenant cases; and civil suits brought against human traffickers.*



(To access the complete article, go to: http://www.americanbar.org/publications/gp_solo/2012/september_october/giving_back_combating_human_trafficking.html)



Action

Toll-Free 24/7 Hotline
National Human Trafficking
Resource Center
1.888.3737.888

Forced Marriage Prevention

The U.S. State Department's highest priority overseas is the protection and welfare of U.S. citizens. The U.S. government considers the issue of forced marriage to be a violation of basic human rights and in the case of minors, a form of child abuse. Often, victims of forced marriage are subjected to non-consensual sex, physical and emotional abuse, isolation, and threats of violence.

International law and conventions also support an individual's right to self-determination, minimum marriage ages, and the rejection of abuse of women and honor-based violence.

Forced marriage is an under-reported problem in certain regions of the world. The State Dept.'s *Bureau of Consular Affairs* has created an information sheet for the following countries (Afghanistan; Bangladesh; Egypt; India; Iraq; Jordan; Kosovo; Kuwait; Pakistan; Syria; and the United Kingdom) that have reported cases where U.S. citizens have faced forced marriage. These flyers discuss the legalities of marriage, cultural context, and resources available to prevent forced marriage.

If you or someone you know is facing or has been a victim of forced marriage overseas, please contact the Office of Overseas Citizens Services at 1-888-407-4747 (from overseas: 202-501-4444) or the Embassy/Consulate nearest you. (http://travel.state.gov/travel/tips/safety/safety_5475.html)

Handling Forced Marriage Cases



In June 2012 the U.K., after gaining opinions from citizens, decided to criminalize forced marriage. (<http://www.guardian.co.uk/world/2012/jun/08/forced-marriage-criminal-offence-david-cameron>)

Already in 2009 the UK *Forced Marriage Unit* put out a publication entitled '*Multi-agency Practice Guidelines: Handling Cases of Forced Marriage*'. It explained what forced marriage involved and understanding issues related to forced marriage, best practices for safety of the person after disclosure, and guidelines for health professionals, educational institutions, police, child and social service agencies, and local housing authorities. To access the document, go to:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/35530/forced-marriage-guidelines09.pdf

One Example of a Marriage Broker Website

(N.B. '*Stop Trafficking*' warns about the graphic material on this website - included only for instructional purposes.)

The "*Foreign Affair*" website asserts that it complies with the *International Marriage Broker Regulation Act (IMBRA)*. (<http://www.loveme.com/>)

Informative Web Sites: (Each contains information related to human trafficking)

Tahirih Justice Center

<http://www.tahirih.org/>

UK Forced Marriage Unit

<https://www.gov.uk/forced-marriage>

AHA Foundation

<http://theahafoundation.org/>

Human Trafficking Pro Bono Legal Center

<http://www.tahirih.org/htprobono/>

Because I Am a Girl Campaign

<http://plan-international.org/girls/>

N.B. Articles referring to the *Tahirih Justice Center* are excerpted with permission.

Resource on 'Forced Marriage' Issues

For more information on forced marriage, or for assistance identifying resources, contact the *Violence Against Women Project Coordinator*, Julia Alanen, at the *Catholic Legal Immigration Network, Inc (CLINIC)*:

(202) 756-5505 or
jalanen@cliniclegal.org

Julia Alanen, Esq. worked with survivors of gender-based violence (e.g., domestic violence, sexual assault, trafficking in persons, and other violent crimes) since 1997. She holds a Juris Doctor degree and an LL.M. degree in international human rights, gender and the law.

Stop Trafficking! is dedicated exclusively to fostering an exchange of information among religious congregations, their friends and collaborating organizations, working to eliminate all forms of trafficking of human beings.

Use the following web address to access back issues of *Stop Trafficking!* <http://www.stopenslavement.org/archives.htm>

To contribute information, or make requests to be on the mailing list, please contact: srjeanschafer@aol.com

Editing and Layout: *Jean Schafer, SDS*